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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,215	02/17/2004	Katsushi Horihata	P1345US	9459

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EXAMINER	
SINGH, SATWANT K	
ART UNIT	**PAPER NUMBER**
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/780,215	HORIHATA, KATSUSHI	
	Examiner	Art Unit	
	Satwant K. Singh	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 February 2004* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*.See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/17/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakanishi et al. (US 2004/0088170).

3. Regarding Claim 1, Nakanishi et al discloses a wide area network printing system so configured that a contents server providing various information is operated to send print data to a document server via the Internet, and the document server is operated to send the print data to a remotely installed image forming apparatus via the Internet to allow the image forming apparatus to print the print data (content charging program used to charge a user when the user downloads and outputs a content such as an image file from a content server through a computer network represented by the Internet) (page 1, paragraph [0001]), wherein the contents server includes: data sending/receiving means which communicates various data including print data with a communications terminal of a user and the document server (content server accepts the processing request from the commerce server) (page 9, paragraphs [0168]-[0170]); data storage means (downloading the content to CD-ROM or the like) (page 9,

paragraph [0149]) which stores the print data therein (Fig. 7, downloading of the content) (page 10, paragraphs [0185]-[0189]); controlling means which controls the data storage means to read out the print data designated by a command requesting printout of the print data and controls the data sending/receiving means to send the print data to the document server when the data sending/receiving means receives the command requesting printout of the print data from the communications terminal (content server carries out the download processing and transmits the content to the user terminal in response to the use request information of the content indicted and transmitted by the authenticated user) (page 11, paragraph 0207]); and information fee accounting means which calculates an information fee relating to the print data and charges the user for the information fee when the data sending/receiving means sends the print data to the document server (charging information contained in the content is decoded) (page 10, paragraphs [0177]-[0182]), the document server includes: communicating means which communicates various data including the print data with the contents server and the image forming apparatus (commerce server transmits the processing result to the web server to display the sample data on the browser screen) (page 9, paragraph [0169]); storage means which stores the print data sent from the contents server therein (Fig. 7, downloading of the content) (page 10, paragraphs [0185]-[0189]); data retrieving means which retrieves, from the storage means, the print data designated by a command requesting transmission of the print data sent from the image forming apparatus (user selects from the sample data of the contents viewed the content which he/she wishes to use) (page 10. paragraph [0175]); print fee accounting means which calculates a print

fee in accordance with the number of copies of the print data retrieved by the data retrieving means, and stores the print fee as print-fee-related accounting data (content basis charging information based on each content) (page 10. paragraphs [0179]-[0182]); and communication controlling means which controls the communicating means to send the print data and the print-fee-related accounting data to the image forming apparatus (on the browser screen of the user terminal, the user checks the charging information) (page 10, paragraph [0184]), and the image forming apparatus includes: accepting means which accepts the command requesting transmission of the print data (content data are read out and transmitted to the user terminal) (page 11, paragraph [0198]); transmitting means which sends the command requesting transmission of the print data inputted from the accepting means to the document server (Fig. 7) (using methods such as print, display, download, or the like are carried out to indicate the use information) (page 10, paragraph [0185]); receiving means which receives the print data and the print-fee-related accounting data from the document server (charging information and print target data are contained in communication print data) (page 11, paragraphs [0202]-[0205]); outputting means which prints outs the received print data (Fig. 5, printer); and fee collecting means which collects the print fee from the user based on the print-fee-related accounting data when the receiving means receives the print-fee-related accounting data from the document server (charging is carried out) (pages 12 and 13, paragraph [0233]).

4. Regarding Claim 2, Nakanishi et al discloses a system, wherein the information fee accounting means of the contents server is controlled to charge the user for the

information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal (charging information and print target data are contained in communication print data) (page 11, paragraphs [0202]-[0205]).

5. Regarding Claim 3, Nakanishi et al discloses a system, wherein the controlling means of the contents server controls the data sending/receiving means to send, to the document server, print data in which additional information is added to the print data sent to the communications terminal, (Fig. 13, attribute information) as additional-information-included print data when the data sending/receiving means receives the command requesting printout of the print data (attribute information contained in the content) (page 11, paragraph [0211]), and controls the information fee accounting means to charge the user for an information fee relating to the additional-information-included print data by adding a surcharge when the data sending/receiving means sends the additional-information-included print data to the image forming apparatus (charging at the used time is carried out in connection with the processing of detecting and interpreting the attribute information) (pages 11 and 12, paragraph [0215]).

6. Regarding Claim 4, Nakanishi et al discloses a system, wherein the controlling means of the contents server controls the data sending/receiving means to send the print data to the document server when the data sending/receiving means receives the command requesting printout of the print data (content server carries out the download processing and transmits the content to the user terminal in response to the use request information of the content indicted and transmitted by the authenticated user) (page 11, paragraph 0207]), and controls the data sending/receiving means to send the print-data-

related information fee calculated by the information fee accounting means to the document server as print-data-related accounting data (charging information contained in the content is decoded) (page 10, paragraphs [0177]-[0182]), the communication controlling means of the document server controls the communicating means to send, to the image forming apparatus, the print-data-related accounting data calculated by the information fee accounting means, and the print-fee-related accounting data calculated by the print fee accounting means (on the browser screen of the user terminal, the user checks the charging information) (page 10, paragraph [0184]), and the fee collecting means of the image forming apparatus is controlled to collect from the user a certain fee based on the print-data-related accounting data and the print-fee-related accounting data (charging is carried out) (pages 12 and 13, paragraph [0233]).

7. Regarding Claim 5, Nakanishi et al discloses a document server so configured as to receive print data from a contents server providing various information via the Internet and to send the print data to a remotely installed image forming apparatus via the Internet to allow the image forming apparatus to print the print data (user downloads and outputs a content such as an image file from a content server through a computer network represented by the Internet) (page 1, paragraph [0001]), the document server comprising: communicating means which communicates various data with the contents server and the image forming apparatus (commerce server transmits the processing result to the web server to display the sample data on the browser screen) (page 9, paragraph [0169]); storage means which stores print data sent from the contents server therein (Fig. 7, downloading of the content) (page 10, paragraphs [0185]-[0189]); data

retrieving means which retrieves, from the print data storage means, the print data designated by a command requesting transmission of the print data from the image forming apparatus (user selects from the sample data of the contents viewed the content which he/she wishes to use) (page 10. paragraph [0175]); print fee accounting means which calculates a print fee in accordance with the number of copies of the print data retrieved by the data retrieving means and stores the print fee as print-fee-related accounting data (content basis charging information based on each content) (page 10. paragraphs [0179]-[0182]); and communication controlling means which controls the communicating means to send the print data and the print-fee-related accounting data to the image forming apparatus (on the browser screen of the user terminal, the user checks the charging information) (page 10, paragraph [0184]).

8. Regarding Claim 6, Nakanishi et al discloses a document server, wherein the communications controlling means controls the communicating means to send, to the image forming apparatus (user checks the charge on the browser screen) (page 10, paragraph 0178]), the print-fee-related accounting data calculated by the print fee accounting means, and accounting data indicative of an information fee relating to the print data sent from the contents server (content basis charging information based on each content) (page 10. paragraphs [0179]-[0182]).

9. Regarding Claim 7, Nakanishi et al discloses a contents server so configured as to send print data to a document server via the Internet and to allow a remotely installed image forming apparatus to print the print data via the Internet (content charging program used to charge a user when the user downloads and outputs a content such as

an image file from a content server through a computer network represented by the Internet) (page 1, paragraph [0001]), the contents server comprising: data sending/receiving means which communicates various data including print data with a communications terminal of a user and the document server (content server accepts the processing request from the commerce server) (page 9, paragraphs [0168]-[0170]); controlling means which controls the data sending/receiving means to send the print data to the document server when the data sending/receiving means receives a command requesting printout of the print data from the communications terminal apparatus (content server carries out the download processing and transmits the content to the user terminal in response to the use request information of the content indicted and transmitted by the authenticated user) (page 11, paragraph 0207]); and information fee accounting means which calculates an information fee relating to the print data and charges the user for the information fee when the data sending/receiving means sends the print data to the document server (content basis charging information based on each content) (page 10. paragraphs [0179]-[0182]).

10. Regarding Claim 8, Nakanishi et al discloses a contents server, wherein the information fee accounting means is controlled to charge the user for the information fee relating to the print data when the data sending/receiving means sends the print data to the communications terminal (content basis charging information based on each content) (page 10. paragraphs [0179]-[0182]).

11. Regarding Claim 9, Nakanishi et al discloses a contents server, wherein the controlling means controls the data sending/receiving means to send, to the document

server, print data in which additional information (Fig. 13, attribute information) is added to the print data sent to the communications terminal, as additional-information-included print data when the data sending/receiving means receives the command requesting printout of the print data (attribute information contained in the content) (page 11, paragraph [0211]), and controls the information fee accounting means to charge the user for the information fee relating to the additional-information-included print data by adding a surcharge when the data sending/receiving means sends the additional-information-include- d print data to the document server (charging at the used time is carried out in connection with the processing of detecting and interpreting the attribute information) (pages 11 and 12, paragraph [0215]).

12. Regarding Claim 10, Nakanishi et al discloses a contents server, wherein the controlling means controls the data sending/receiving means to send, to the document server, the print data and data indicative of the print-data-related information fee calculated by the information fee accounting means, as print-data-related accounting data when the data sending/receiving means receives the command requesting printout of the print data (content server carries out the download processing and transmits the content to the user terminal in response to the use request information of the content indicted and transmitted by the authenticated user) (page 11, paragraph 0207]).

13. Regarding Claim 11, Nakanishi et al discloses an image forming apparatus so configured as to receive print data, via the Internet, from a document server communicatively connected therewith via the Internet to output the print data (user downloads and outputs a content such as an image file from a content server through a

computer network represented by the Internet) (page 1, paragraph [0001]), the apparatus comprising: accepting means which accepts a command requesting transmission of print data (content data are read out and transmitted to the user terminal) (page 11, paragraph [0198]); transmitting means which sends the command requesting transmission of the print data to the document server (Fig. 7) (using methods such as print, display, download, or the like are carried out to indicate the use information) (page 10, paragraph [0185]); receiving means which receives, from the document server, the print data designated by the command requesting transmission of the print data (charging information and print target data are contained in communication print data) (page 11, paragraphs [0202]-[0205]); outputting means which prints out the print data received by the receiving means (Fig. 5, printer); and fee collecting means which collects a print fee from the user based on accounting data which the receiving means receives from the document server when the outputting means outputs the print data (charging is carried out) (pages 12 and 13, paragraph [0233]).

14. Regarding Claim 12, Nakanishi et al discloses an image forming apparatus, wherein the fee collecting means is controlled to collect a certain fee from the user based on the accounting data indicative of an information fee relating to the print data and the print fee both of which the receiving means receives from the document server (charging is carried out) (pages 12 and 13, paragraph [0233]).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tamayama et al. (US 2002/0062274) discloses a communication system comprising a rental system for rental a storage medium.

Quinlan (US 2003/0156076) discloses a dynamic display updating system and method thereof.

Miura et al. (US 2003/0028490) discloses a content distribution system capable of distributing a content in accordance with a requested data format or the capabilities of the terminal used.

Content Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant Singh

sks

Satwant K. Singh
Examiner
Art Unit 2625

THOMAS D. LEE